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Attached is the daily news report for August 18.

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## BUREAU OF LAND MANAGEMENT

### DAILY NEWS REPORT - UTAH

#### **UTAH – TOP STORIES – AUGUST 18, 2017**

##### **1. DNR appoints new Utah DWR Director**

*The Pyramid, Aug. 17 | Press Release*

SALT LAKE CITY — Utah Department of Natural Resources (DNR) Director Mike Styler recently named Mike Fowlks as the new director of the Utah Division of Wildlife Resources (DWR).

##### **2. Severed septic line sparks closure of Jones Hole Creek in Dinosaur National Monument**

*The Salt Lake Tribune, Aug. 17 | Tony Semerad*

The popular fishing waters of Jones Hole Creek in eastern Utah's Dinosaur National Monument have been closed to recreation after a broken septic line fouled parts of the waterway.

##### **3. Victim of Bonneville Salt Flats crash identified**

*The Salt Lake Tribune, Aug. 17 | Bob Mims*

The Tooele County Sheriff's office on Friday released the identity of a man killed in a head-on crash at the Bonneville Salt Flats Speedway earlier this week.

#### **E&E/NATIONAL NEWS – TOP STORIES**

##### **1. Jury in Bunkerville standoff case to resume deliberations Monday**

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After more than two days of deliberation, jurors are expected to return Monday in the retrial of four men facing federal charges in the 2014 armed standoff in Bunkerville.



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#### **2. Birders and Naturalists Ponder the Fate of the Greater Sage Grouse**

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Evan Obercian says it is the highlight of his Colorado birding tours every spring, even though he has to wake his clients up before 5 a.m. to be in the sagebrush flats before the sun comes up. And there they wait in Mr. Obercian's van, listening to strange whoops and popping sounds that float magically from the predawn darkness.

#### **3. NATIONAL MONUMENTS: Nev. sites hold oil and gas promise — enviro analysis**

*E & E News, Aug. 18 | Pamela King*

Two Nevada national monuments under Interior Department review could be ripe for oil and gas activity if their designations are changed, according to a new environmental analysis.

#### **4. FEDERAL AGENCIES: Trump officials celebrate funding while they quietly cut**

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New historic preservation grants showcase how the Trump administration will take credit for both cost-cutting and generosity on the same program.

#### **5. CLEAN WATER RULE: Over 100 Dems urge Pruitt to keep Obama reg**

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More than 100 members of the House today called on U.S. EPA Administrator Scott Pruitt to think twice before repealing the Clean Water Rule.

#### **6. FOREST SERVICE: Tidwell retires after 'lifelong love' of public lands**

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Forest Service Chief Tom Tidwell announced today he is retiring next month after more than four decades at the agency that oversees 193 million acres of forestland and more than 30,000 employees.



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**7. WHITE HOUSE: Bannon's exit could reshape Trump energy policies**

*E & E News, Aug. 18 | Michael Doyle*

White House strategist Steve Bannon's abrupt but long-anticipated departure today from President Trump's inner circle removes a distinctive voice on energy and environmental issues and could give moderate voices more say.

**8. GRAND CANYON: Interior mum in heated debate over mining ban**

*E & E News, Aug. 18 | Dylan Brown*

An uneasy silence lingers over the more than 1 million acres where uranium mining is banned on either side of Grand Canyon National Park.

**9. INTERIOR: Decision time looms for 20 monuments**

*E & E News, Aug. 18 | Jennifer Yachnin*

As Interior Secretary Ryan Zinke approaches the deadline next week for his recommendations to President Trump on whether to alter dozens of national monuments, conservation proponents say it remains all but impossible to predict which sites the administration could target for reductions or even wholesale elimination.

**10. SAGE GROUSE: Interior panel echoed industry wish list in revising plans**

*E & E News, Aug. 18 | Scott Streater*

An Interior Department review panel recommended amending federal greater sage grouse conservation plans to address almost every concern highlighted by an oil and gas industry trade group, according to documents being circulated this week by a government watchdog group.



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#### UTAH – FULL STORY

##### 1. DNR appoints new Utah DWR Director

*The Pyramid, Aug. 17 | Press Release*

SALT LAKE CITY — Utah Department of Natural Resources (DNR) Director Mike Styler recently named Mike Fowlks as the new director of the Utah Division of Wildlife Resources (DWR).

Fowlks has more than 24 years' experience with DWR and has been the agency's deputy director for the past five years. He has served successfully as the division's interim director since early June, when his predecessor, Greg Sheehan, accepted a leadership position with the U.S. Fish and Wildlife Service.

"Successful management of Utah's wildlife requires nimble and forward-thinking leadership. That's exactly what Mike brings to the table. I am so impressed with his vision, proactive leadership and commitment to active wildlife management," said Styler. "Our wildlife is in outstanding shape and under his direction, I'm confident it will remain that way."

Fowlks began his career at the DWR as a field conservation officer in the agency's Law Enforcement Section. He distinguished himself as a leader and quickly worked his way through the ranks, serving as the Law Enforcement Section chief for eight years. He also served as the agency's liaison with the Utah Legislature between 1997 and 2003.

"I am excited and humbled at the opportunity to serve as the Division's new director, and I share my predecessor's commitment to active, hands-on management of our wildlife resources."

"I believe that this is the only way to maintain thriving and robust wildlife populations," said Fowlks. "Utahns value wildlife. It's part of what makes our state such a special place to live. While challenges still exist, we are poised to handle them and excited to build partnerships that keep Utah's wildlife thriving."

Improving wildlife habitat and relationships with partners and customers is at the forefront of Fowlks's priorities. DWR is beginning a new era of research and discovery that will focus on the migration and habitat needs of wildlife.



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The agency will also continue to develop strong partnerships with key wildlife stakeholder groups and will leverage technology to improve hunters' and anglers' experiences.

Fowlks received his B.S. degree in zoology and animal biology from the University of Utah. He also graduated from the FBI National Academy for Law Enforcement Administrators and the National Conservation Leadership Institute.

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#### **2. Severed septic line sparks closure of Jones Hole Creek in Dinosaur National Monument**

*The Salt Lake Tribune, Aug. 17 | Tony Semerad*

The popular fishing waters of Jones Hole Creek in eastern Utah's Dinosaur National Monument have been closed to recreation after a broken septic line fouled parts of the waterway.

In an announcement Thursday, National Park Service officials said the temporary closure included bans on angling, hiking and swimming along a 4.25-mile length of the creek and adjacent trail, extending from Jones Hole Fish Hatchery to the Green River.

Monument staff learned Wednesday afternoon of the effluent discharge, sparked by a septic line break at the hatchery, NPS officials said. The leak has pushed fecal coliform counts near the discharge point to nearly six times the bacterial levels considered worthy of health warnings by the Utah Department of Environmental Quality, the announcement said.

On the advice of the U.S. Public Health Service, the NPS said, all waters of Jones Hole Creek remain closed to recreation until further notice and monument workers have put up temporary signs warning visitors.

The fish hatchery and its parking area have also been temporarily closed to prevent visitors from getting access to trailheads for the Jones Hole and Island Park trails, the NPS said.

In a separate release from the U.S. Fish and Wildlife Service, hatchery manager Kip Bottomley apologized for the septic leak and the closure, and vowed to "work quickly to correct the situation." He said repair work on the line would begin as soon as a contractor has been chosen.



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The monument's Quarry Visitor Center and Dinosaur Quarry Exhibit Hall are unaffected by the closures and will remain open at their usual hours, officials said.

Meanwhile, officials said water-quality monitoring tests were being conducted regularly below the fish hatchery, and the area will reopen when contamination levels drop below recommended levels.

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### **3. Victim of Bonneville Salt Flats crash identified**

*The Salt Lake Tribune, Aug. 17 | Bob Mims*

The Tooele County Sheriff's office on Friday released the identity of a man killed in a head-on crash at the Bonneville Salt Flats Speedway earlier this week.

Sheriff's Lt. Ron Johnson said that 65-year-old Christopher Clay, of Rohnert Park, Calif., was a passenger in a 1987 Ford pickup truck that collided with a minivan on Wednesday.

Clay was pronounced dead shortly after the crash, which occurred on an access road to the area where speed trials are conducted.

Five other people — four men and a woman, ranging in age from 48 to 77 — sustained serious injuries, but were recovering after surgery and other treatment, Johnson said. The five who were injured also are from California, according to Johnson.

Those involved in the crash all were members of support crews for racers, police said earlier.

Clay reportedly was one of four people in the pickup truck. The other two injured were in the minivan.

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#### E&E/NATIONAL NEWS – FULL STORY

##### **1. Jury in Bunkerville standoff case to resume deliberations Monday**

*Las Vegas Review-Journal, Aug. 17 | David Ferrara*

After more than two days of deliberation, jurors are expected to return Monday in the retrial of four men facing federal charges in the 2014 armed standoff in Bunkerville.

On Tuesday, the panel of six women and six men started deliberating the charges against Idaho men Steven Stewart, Scott Drexler and Eric Parker, and Montana resident Ricky Lovelien. Jurors were sent home at about 4:30 p.m. Thursday and are expected to resume deliberations Monday morning, defense attorneys said.

During closing arguments this week, prosecutors pointed to social media posts in which the men discussed the activities in the rural Nevada town, about 80 miles northeast of Las Vegas. On a video played for jurors, rancher Cliven Bundy spoke to a crowd outside his ranch, encouraging his followers to do what they needed to do to retrieve his cattle from the Bureau of Land Management.

The defendants, charged as gunmen, are accused of driving from other states to Bunkerville in April 2014 to support Bundy, who is accused of conspiring to thwart the federal government's roundup of roughly 1,000 cows from public land.

Earlier this year, members of another jury declared that they were deadlocked on all counts against the four defendants but convicted two others.

During the second trial, U.S. District Judge Gloria Navarro barred the defense from referencing constitutional rights to freely assemble and to bear arms. She also prohibited mention of alleged misconduct or excessive force by law enforcement.

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*The New York Times, Aug. 18 | Gustave Axelson*

Evan Obercian says it is the highlight of his Colorado birding tours every spring, even though he has to wake his clients up before 5 a.m. to be in the sagebrush flats before the sun comes up. And there they wait in Mr. Obercian's van, listening to strange whoops and popping sounds that float magically from the predawn darkness.

The first rays of a new day's sun reveal what is making the noise: large brown birds more than twice the size of a barnyard chicken, strutting and shaking while thrusting bulbous yellow air sacs out of their chests, and fanning a fantastic spread of pointy tail feathers. The bird is the greater sage grouse, and the sight is their spring mating ritual on their dancing grounds, called leks.

"It's profoundly moving for me, and my clients," said Mr. Obercian, "watching this ancient nuptial dance that's been performed since way before there were any people on this land. It's something way beyond just checking another bird off a list."

The van acts like a blind, so the sage grouse do not notice that people are nearby, watching. Sometimes the grouse will dance right up to the tires. Birders are under strict orders not to get out, because as Mr. Obercian says, sage grouse "are very sensitive."

That sensitivity means sage grouse are easily spooked — by people, or by oil and gas drilling operations. A revision to the wildlife management plans for sage grouse in the West recently announced by Interior Secretary Ryan Zinke may mean more oil and gas drilling near sage grouse leks soon — and a new round of industry-versus-conservationist skirmishes over an issue that many thought had been settled.

The greater sage grouse was almost listed under the Endangered Species Act two years ago. The bird has lost almost half of its sagebrush habitat across 11 western states, and its population has declined from many millions to a few hundred thousand. Audubon Rockies says the greater sage grouse population has declined by 95 percent.

But on Sept. 22, 2015, then-Interior Secretary Sally Jewell announced that the sage grouse would not be listed, because the U.S. Fish and Wildlife Service was confident that threats to the bird



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were being effectively mitigated by a package of federal and state plans across the West that protected habitat while still allowing for energy development and livestock grazing.

“We had settled on the biggest landscape conservation deal ever made,” said Brian Rutledge, director of Audubon’s Sagebrush Ecosystem Initiative. Mr. Rutledge sat alongside energy industry representatives, ranchers and government officials to hammer out what he calls a compromise among all interests. For example, Mr. Rutledge points out that the deal still allowed for oil and gas drilling, just not in ways that would excessively disturb sage grouse breeding areas.

On June 8, Secretary Zinke announced that the sage grouse plans will be reviewed to “protect sage grouse and its habitat while also ensuring conservation efforts do not impede local economic opportunities” to follow through on President Trump’s executive order on energy independence. On August 7, Secretary Zinke issued the order to revise the sage grouse plans, including modifying the policy on fluid-mineral leasing and development.

“The far left bank of the conservation movement always thought that it should be listed,” Mr. Rutledge said, in reference to the sage grouse. “And the far right pro-development group always wanted no restrictions. But we had a deal in the middle,” Mr. Rutledge said. “Now, the far right folks have the ear of the new Secretary.”

Most concerning, said Holly Copeland, a landscape ecologist for the Nature Conservancy in Wyoming, is the prospect of allowing oil and gas drilling in core areas for sage grouse breeding habitat. Ms. Copeland has published research that showed the 2015 plan would significantly reduce future losses of sage grouse populations, while also benefiting other sagebrush wildlife such as mule deer.

“That plan was a compromise, with concessions by environmentalists and industry. But one key win for sage grouse was to steer leasing away from the most important breeding areas,” said Ms. Copeland.

But under the Trump Administration, the federal Bureau of Land Management has already restarted putting out oil and gas development leases in sage grouse habitat.

The lek where Mr. Obercian, the birding guide, takes his clients is on Bureau of Land Management land in Colorado. Now he’s worried that the greater sage grouse may go the way of another springtime dancing bird, the lesser prairie chicken.



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"They have always been part of our Colorado birding tours," he says. "But last year we had to go to Kansas to see a lesser prairie chicken."

#### **Where to see Greater Sage-Grouse**

On a tour: Evan Obercian guides an April trip to see greater sage grouse, their close cousin the Gunnison sage grouse, and three other dancing bird species on the Lekking Grouse tour (April 3 to 13, 2018, \$3,500).

On your own: The Wyoming Game and Fish Department publishes a guide to do-it-yourself lek-watching with locations of sage-grouse leks across the state. Holly Copeland of The Nature Conservancy highly recommends the Twin Creek Lek near Lander. "You just pull up to the side of a dirt road, stay in your car, and the sage grouse will dance right in front of you," she says, adding that if you bring breakfast and a cup of coffee, it's a little like a drive-in movie.

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#### **3. NATIONAL MONUMENTS: Nev. sites hold oil and gas promise — enviro analysis**

*E & E News, Aug. 18 | Pamela King*

Two Nevada national monuments under Interior Department review could be ripe for oil and gas activity if their designations are changed, according to a new environmental analysis.

Gold Butte and Basin and Range national monuments contain 640,000 acres that have been nominated for leasing by oil and gas operators, the Center for Biological Diversity found in its examination of Bureau of Land Management records.

"To even consider removing protections from Gold Butte and Basin and Range to appease oil companies is the epitome of shortsighted, corrupt public policy," said Patrick Donnelly, Nevada state director for the center. "Trump is trying to auction off public lands like they're part of his crumbling real estate empire, without any regard for these amazing cultural and natural resources."

Energy speculators have eyed more than three-quarters of the 296,937-acre Gold Butte National Monument for leasing, the CBD analysis shows. The site serves as a wildlife corridor and Mojave Desert tortoise habitat.



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More than half of Basin and Range National Monument's 704,000 acres, home to displays of ancient rock art, have been tapped for potential oil and gas production, according to CBD.

Recommendations from Interior Secretary Ryan Zinke's review of 27 national monuments are due Thursday. Zinke has announced a handful of the monuments won't change but has offered few details as to how he made those determinations (Greenwire, Aug. 18).

The secretary has said President Trump's order to review the monuments "doesn't predispose an outcome" on whether those spaces will be opened to oil and gas development (Energywire, April 27). Trump called the review necessary to end the "abusive practice" of the government locking up millions of acres.

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#### 4. **FEDERAL AGENCIES: Trump officials celebrate funding while they quietly cut**

*E & E News, Aug. 18 | Michael Doyle*

New historic preservation grants showcase how the Trump administration will take credit for both cost-cutting and generosity on the same program.

In one example of a trend across agencies, the Interior Department announced yesterday the distribution of \$25.6 million in grants from the Historic Preservation Fund. The grants, funded by outer continental shelf oil lease revenues, flow to all 50 states and many tribes.

"These grants highlight the Department's and the National Park Service's commitment to preserving U.S. and tribal history and heritage," Deputy Interior Secretary David Bernhardt said in a statement.

Bernhardt, acting while Interior Secretary Ryan Zinke is on vacation, added that "through valuable partnerships, we are able to help communities and tribes protect the diverse historic places, culture, and traditions unique to our country for future generations."

The department's budget writers, though, projected a different bottom line.



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In May, the Interior Department proposed a 22 percent reduction in the Historic Preservation Fund as part of the fiscal 2018 budget. The department proposed providing \$51.1 million, a cut of \$14.2 million.

An Interior Department spokesperson could not be reached for comment.

Any administration's budget proposal is only, at best, a first draft, and officials sometimes suggest cuts they know Congress won't accept.

While the Interior Department's budget proposed eliminating all Historic Preservation Fund competitive grants, for instance, a [House funding bill](#) would designate \$13.5 million in competitive grants for historically black colleges and universities and "to preserve the sites and stories of the Civil Rights movement."

More broadly, the House omnibus spending bill set for approval next month rejects the overall Historic Preservation Fund cut proposed by Interior.

But it's not the only program to pass through the mind-bending cycle of public praise, quiet cuts and potential restoration by Congress, nor is the practice confined to the Interior Department.

Energy Secretary Rick Perry on July 17, for instance, announced \$40 million in Energy Department awards for four Bioenergy Research Centers.

"These centers will accelerate the development of the basic science and technological foundation needed to ensure that American industry and the American public reap the benefits of the new bio-based economy," Perry said in a statement.

The [statement](#) noted that the Bioenergy Research Centers' support came from the Office of Biological and Environmental Research.

The statement omitted, though, the fact that the Energy Department proposed cutting Bioenergy Research Centers' funding as part of an overall 43 percent slashing of financial support for biological and environmental research in the fiscal 2018 budget.



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In a similar vein, U.S. EPA on June 17 issued a statement that "celebrated three recipients of Brownfields grants in Vermont." Brownfield sites are properties where redevelopment or reuse may be limited by hazardous substances or contaminants.

"Assessing and cleaning up contaminated brownfields sites are the first steps to revitalizing unused properties in communities across Vermont, and EPA is very proud to be part of that process," EPA acting Region 1 Administrator Deb Szaro said in the statement.

Several weeks earlier, EPA had proposed a 37 percent cut in brownfields program funding in the fiscal 2018 budget.

Two days before announcing the Historic Preservation Fund grants this week, the Interior Department on Tuesday announced more than \$52 million in state and tribal wildlife grants. The funds help with monitoring, research and other efforts to protect vulnerable species and habitats.

"The Trump Administration is working hard with states and local communities to find solutions that are driven at the local level, rather than in Washington, D.C.," Bernhardt said in a statement, adding that "tribal and state wildlife grants are foundational to protecting our nation's wildlife legacy."

Earlier, though, citing "fiscal constraints and other priorities," Interior proposed an overall 12.5 percent cut in the state and tribal wildlife grants. The biggest suggested cut came from a proposed elimination of competitive grants.

"This [department] budget reflects the president's commitment to fiscal responsibility, proposing sensible and rational reductions and making hard choices to reach a balanced budget by 2027," Zinke told House Appropriations Committee members earlier this year.

House lawmakers brushed off the Interior Department's proposal and added money to the state and tribal grant program instead of cutting from it.

Zinke himself on May 12 announced \$23.6 million in funding for water recycling and reuse programs in seven states. The money came from what's called the Title XVI program.



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"This funding provides essential tools for stretching limited water supplies by helping communities reclaim and reuse wastewater and impaired ground or surface waters," Zinke said in a statement.

Eleven days later, the Interior Department proposed a 33 percent cut in the Title XVI program funding.

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#### 5. **CLEAN WATER RULE: Over 100 Dems urge Pruitt to keep Obama reg**

*E & E News, Aug. 17 | Ariel Wittenberg*

More than 100 members of the House today called on U.S. EPA Administrator Scott Pruitt to think twice before repealing the Clean Water Rule.

In a [letter](#), the Democrats called the Clean Water Rule "a science-based rule that keeps our communities safe and our natural resources protected — exactly what Congress intended the Clean Water Act to do."

In June, EPA and the Army Corps of Engineers released a proposed rule to repeal the Obama-era Clean Water Rule, which clarifies which wetlands and small waterways are protected by the Clean Water Act.

Upon being finalized in 2015, the regulation, known as the Waters of the U.S., or WOTUS, rule, immediately came under fire from the agriculture, energy and development industries for what they said amounted to government overreach.

Trump administration officials have said repealing the regulation is the first in a two-step process for redefining and restricting federal jurisdiction over waterways and wetlands.

In their letter, lawmakers said plans to write a new rule "are deeply concerning."

"Rather than protecting Americans, these actions ignore science and undermine our clean drinking water, our public health and our outdoor recreation economy," the letter said.



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Signed by 102 lawmakers, the letter was led by members of the House Sustainable Energy and Environment Coalition, including Reps. Gerald Connolly (D-Va.), Paul Tonko (D-N.Y.), Doris Matsui (D-Calif.), Jared Polis (D-Colo.), Chellie Pingree (D-Maine), Matt Cartwright (D-Pa.), Alan Lowenthal (D-Calif.) and Mike Quigley (D-Ill.).

The lawmakers noted that the Obama administration heeded scientific research and public comment to decide which wetlands and waterways have chemical, biological or hydraulic connections to larger, navigable waters before finalizing the rule.

"Rescinding this clean water safeguard ignores science," the letter said. "The science is clear — what we do to these water bodies impacts large, continuous water sources."

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#### 6. FOREST SERVICE: Tidwell retires after 'lifelong love' of public lands

*E & E News, Aug. 18 | Scott Streeter*

Forest Service Chief Tom Tidwell announced today he is retiring next month after more than four decades at the agency that oversees 193 million acres of forestland and more than 30,000 employees.

"On September 1, I will step down as your Chief and leave the Forest Service — carrying with me more than 40 years of cherished memories, lasting friendships and a lifelong love for public lands and service," Tidwell wrote in a farewell email sent today to Forest Service staff. "It has been my greatest honor to serve, a privilege and most rewarding experience."

Tidwell, 62, is credited during his eight years as agency chief with increasing the number of women and minorities in administrative positions, prioritizing wildland firefighter safety and improving the service's law enforcement division after employees complained of a hostile work environment.

He's also responsible for focusing attention on restoring the "ecological resilience" of national forest system lands, according to agency observers, and for sounding the alarm on the impacts of a warming climate and its potential to dry up critical watersheds originating in national forests.



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But he never could convince Congress to authorize funding wildfires like natural disasters, instead forcing the Forest Service to pilfer other agency programs to pay for the growing costs of suppressing an increasing number of blazes that today eat up more than half the agency's annual budget.

"I think he was an effective chief, and he left the agency better than he found it," said Dale Bosworth, a Forest Service chief during the George W. Bush administration who retired from the agency in 2007. "In my view, he did a good job, especially considering all the challenges facing the Forest Service, particularly wildfires."

Wildfire suppression funding remains an enormously challenging problem. More than 86 million acres of national forest lands are considered to be at high risk for wildfires as well as insect infestation.

But the Forest Service, in a statement announcing Tidwell's retirement, noted that he "played an instrumental role early on in drawing attention and public support to confront the increasing severity and costs of wildfires" and their impacts on national forest lands.

"From the start, we have relied on Chief Tidwell's experience and counsel, drawing on his years of experience both in the field and in Washington," Agriculture Secretary Sonny Perdue said in a statement. "The Forest Service will miss the benefit of his knowledge but we wish him well on his retirement after more than 40 years of service with the U.S. Department of Agriculture."

During his four-decade career, Tidwell worked in eight national forests in a variety of positions at all levels of the agency. As a legislative affairs staffer for the agency, he worked on a number of controversial issues, including implementation of the roadless rule.

Tidwell began as a firefighter at the Boise National Forest, eventually serving 19 years as an agency administrator responsible for fire suppression decisions (E&E News PM, June 17, 2009).

That's one reason Tidwell worked hard as Forest Service chief to change the firefighting culture to ensure safety as a top priority, said Andy Stahl, executive director of Forest Service Employees for Environmental Ethics.

Since his appointment in June 2009, firefighter deaths have dropped to an average of 15 per year, Stahl said. Between 2001 and 2008, firefighter deaths averaged 20 per year.



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"He felt very strongly that we shouldn't be killing firefighters," Stahl said. "That was one of his priorities, ensuring that their workplace is safe."

Tidwell served as deputy regional forester for the Pacific Southwest Region, forest supervisor at the Wasatch-Cache National Forest in Utah, district ranger for the Uinta National Forest, and acting forest supervisor at the Fishlake National Forest in Utah and the Sawtooth National Forest in Idaho.

Tidwell, who suffered a heart attack on the job in 2011, acknowledged the challenging nature of the job in his farewell email to staff.

"We have lived through some tough days responding to natural disasters and dangers that come from keeping citizens safe. We have been called to respond in a way that only the Forest Service can," he wrote.

"We have grieved together, far too many times, for those who have lost their lives in support of our mission. By far these have been the most trying times for me," he added. "But I was always grateful for how you showed up to respect the sacrifices of others, to lend your support for grieving families, friends and co-workers, to help them begin healing from their loss. That, along with your commitment to our safety journey, to do what we can to ensure everyone returns home safely every day, is what carried me through those times. I know you will continue our progress on this never-ending Journey."

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#### 7. **WHITE HOUSE: Bannon's exit could reshape Trump energy policies**

*E & E News, Aug. 18 | Michael Doyle*

White House strategist Steve Bannon's abrupt but long-anticipated departure today from President Trump's inner circle removes a distinctive voice on energy and environmental issues and could give moderate voices more say.

Following a flurry of rumors and unusual interviews that Bannon granted in the last few days, the White House announced today that he was history.



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"White House Chief of Staff John Kelly and Steve Bannon have mutually agreed today would be Steve's last day," White House press secretary Sarah Huckabee Sanders said in a brief statement. "We are grateful for his service and wish him the best."

The free-floating, relatively unstructured nature of Bannon's job as chief strategist reportedly bothered Kelly, a buttoned-down former Marine Corps general brought in to discipline Trump's fractious White House. It also complicates efforts to pin down Bannon's influence on energy and the environment and the potential impact of his absence.

But along with U.S. EPA Administrator Scott Pruitt, most notably, Bannon helped lead the forces opposed to U.S. participation in the Paris climate accord. Bannon won that fight when Trump announced June 1 that the United States would withdraw from the landmark agreement.

"So Steve Bannon is now the president of the United States, and that was more clear yesterday than ever before," MSNBC host and former Republican congressman Joe Scarborough declared following the decision.

Beyond climate issues, Bannon generally advocated dismantling the rules and regulations, many of them dealing with resource development and environmental protection, that together make up what some call the administrative state.

Bannon's sometimes mysterious influence on energy and environmental policy, in turn, prompted environmental groups today to quickly cheer his unceremonious exit.

"Good riddance to Steve Bannon, as his disgraceful brand of hate and vitriol deserves no place in the White House," Sierra Club Executive Director Michael Brune said in a statement.

Broadening the indictment, Michelle Chan, vice president of Friends of the Earth, added, "White Supremacists like Steve Bannon and Donald Trump do not belong in the White House." The environmental organization had previously joined other groups in circulating petitions urging Trump not to hire Bannon.

A 63-year-old Navy veteran and graduate of Virginia Tech and Harvard Business School, the famously disheveled Bannon had done stints with Goldman Sachs, the Breitbart News Network and the earth science research venture called Biosphere 2 before Trump appointed him in August 2016 to serve as his campaign's chief executive officer.



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"I like Mr. Bannon," Trump told reporters at a disjointed news conference Tuesday. "He's a friend of mine. But Mr. Bannon came on very late. You know that. I went through 17 senators, governors, and I won all the primaries. Mr. Bannon came on very much later than that."

Then, after downplaying Bannon's role in his campaign, Trump added an ominous coda when asked whether he retained faith in his chief strategist.

"We'll see what happens with Mr. Bannon," Trump said.

The climate fight was only one of many for Bannon, a former leader of the fiercely conservative website Breitbart, but it especially aggravated tensions with Trump's influential son-in-law and adviser, Jared Kushner.

Bannon's exit now enhances the power of Kushner, who through White House leaks and other means has associated himself with gentler policies. Kushner and his wife, Trump's daughter Ivanka, were identified by The Wall Street Journal in February as "a moderating influence on the White House's position on climate change and environmental issues."

Bannon's departure could also boost the internal clout of National Economic Council Director Gary Cohn, a former Goldman Sachs executive who has been allied with Kushner and with whom Bannon also periodically clashed during the Trump administration's chaotic first six months.

While Cohn was still with Goldman Sachs, the company in a 2005 statement declared that climate change "is a reality and that human activities are largely responsible for increasing concentrations of greenhouse gases in the earth's atmosphere." And in 2015, when Cohn was president, Goldman Sachs joined five other banks in a statement acknowledging that government action was needed to address the problem.

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#### 8. **GRAND CANYON: Interior mum in heated debate over mining ban**

*E & E News, Aug. 18 | Dylan Brown*

An uneasy silence lingers over the more than 1 million acres where uranium mining is banned on either side of Grand Canyon National Park.



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The Trump administration, in the midst of combing through every Obama administration regulatory action in the name of "energy dominance," has yet to address the 2012 mineral withdrawal blocking new uranium development for the next 20 years in northern Arizona.

The Interior Department has received but not yet responded to letters from local government leaders and a mining company requesting that the prohibition be lifted to help the local economy.

And environmentalists and Democrats continue their push without much hope for legislation that would create a Greater Grand Canyon Heritage National Monument to permanently protect the area.

Meanwhile, the only near-operational mine in the region — the Canyon Mine — is in "a quiet period" waiting for uranium prices to rise despite being one of the existing operations exempt from the ban.

Not far away, the Havasupai Tribe's recent spiritual protest against uranium mining on its sacred ancestral lands has ended.

The lawsuit the tribe filed to block the Canyon Mine, as well as the lawsuit the mining industry filed to end the 2012 ban, both await a decision in the 9th U.S. Circuit Court of Appeals.

The holding pattern continues, and all ears are tuned in for Interior Secretary Ryan Zinke to break the silence.

#### **'Raising hell'**

In June, the supervisors of Mohave County, Ariz., northwest of the national park, unanimously signed letters urging Zinke to begin the process of lifting the withdrawal.

"This ban took away much needed growth and jobs from our area," stated one letter, obtained by The Arizona Republic.

When then-Interior Secretary Ken Salazar imposed the two-year pause in 2009 for the study that led to the withdrawal, he ended a speculation boom in the uranium-rich Arizona Strip.

One of those speculators, Vane Minerals, spent more than \$6 million on more than 300 unpatented mining claims rendered useless by the ban.



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"The withdrawal essentially was a 'taking of property' which resulted in our loss of most of that investment and gutted our company," Kris Hefton, director of Vane Minerals LLC, now a subsidiary of Rose Petroleum PLC, wrote in a May letter to Zinke.

Hefton argued the withdrawal conflicts with President Trump's executive order on energy independence and Zinke's own order to remand burdensome regulations.

"I know you have a lot on your plate, but I would appreciate it if you could review this issue," he wrote.

An Interior spokesman said the department will respond to the letters but would not provide further information.

"I can't help but think the mining industry is working every back channel it can with the Trump administration right now to undo that moratorium," said Roger Clark of the conservation group Grand Canyon Trust.

Fear that the Trump administration would revive an industry with a toxic legacy in the Southwest also stirred protest among the Havasupai. For four consecutive days in June, the tribe, which also calls itself the People of the Blue-Green Waters, gathered at sacred Red Butte Mountain, not far from the Canyon Mine, for prayer and song.

"Once again, our sacred water and lands are being attacked to profit other people," Havasupai Councilwoman Carletta Tilousi wrote in a London Guardian commentary.

The Havasupai were one of several tribes that pushed for the withdrawn area to be designated a national monument, only to have their hopes dashed by the new administration and Republican opposition to H.R. 360 from Rep. Raúl Grijalva (D-Ariz.) (Greenwire, Jan. 10).

Instead, the Havasupai took their grave concerns about water contamination to court, contesting the Forest Service's approval of the reopening of the Canyon Mine 6 miles south of the Grand Canyon.

"Canyon Mine is serving as a poster child for why we need the ban on new claims," said Clark, whose group is also involved in the litigation.



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Flooding in the mine this spring after a wet winter forced owner Energy Fuels Inc. to spray a plume of mist high above the mine to accelerate evaporation. The company also trucked contaminated water to its processing mill in Utah (Greenwire, April 4).

Environmentalists accused the Arizona Department of Environmental Quality of failing to adequately address water quality concerns, but the agency did not cite any violations.

Energy Fuels executive Curtis Moore said the mist had no impact on surface water quality and trucking was done "out of an abundance of caution."

"Now, that's not to say it didn't become controversial, because we can't hardly do anything on that mine site without the enviros raising hell," he said, "but all the regulators and everybody who is reasonable was very satisfied with how we handled that."

The National Mining Association and American Exploration & Mining Association are, meanwhile, challenging the legality of the withdrawal, including Interior's authority to set aside more than 5,000 acres without approval from Congress.

#### **Risks vs. 'common sense'**

The two sides disagree fundamentally about the risks posed by uranium mining. The controversy was compounded by a reported incident of data manipulation by a federal geologist, although the U.S. Geological Survey said no federal actions, including the Grand Canyon mining ban, were made based on the information (E&E News PM, Oct. 17, 2016).

The split also stems from disagreement over the risk naturally occurring uranium poses to the aquifers feeding the streams and seeps of the Grand Canyon.

"The underlying motivation of the radical environmentalist is anti-mining and anti-nuclear," Vane Minerals' Hefton wrote, defending 50 years of mining in the area. "Common sense indicates that mining of these high-grade deposits removes the perceived threat from the area."

Clark countered that uranium mining exacerbates any natural contamination.

At Canyon Mine, Clark said, "It may be naturally occurring uranium, but nonetheless, it's contaminating the water that's in the shaft that's being pumped onto the site."



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Environmentalists also protest federal laws that allow mines to sit idle for years while waiting for the uranium market to come around.

Uranium prices collapsed after the 2011 Fukushima Daiichi nuclear accident and still sit well below the price point that would help conventional mines like Canyon compete with in-situ uranium recovery, which involves pumping a mixture of water and other substances underground to release uranium deposits.

But with prices recovering after an abysmal 2016 and more high-grade uranium identified at the Canyon Mine, Energy Fuels CEO Stephen Antony told investors in March, "We just might have turned the corner."

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#### 9. INTERIOR: Decision time looms for 20 monuments

*E & E News, Aug. 18 | Jennifer Yachnin*

As Interior Secretary Ryan Zinke approaches the deadline next week for his recommendations to President Trump on whether to alter dozens of national monuments, conservation proponents say it remains all but impossible to predict which sites the administration could target for reductions or even wholesale elimination.

In recent months, Zinke has traveled from coast to coast as he conducted the review, which included 27 national monuments created since 1996, the majority of which are larger than 100,000 acres.

But even as he visited states from Maine to Oregon and Utah to New Mexico, Zinke managed to touch down in only eight of those monuments over the 3 ½-month review.

In the weeks before his final report recommending changes is due to the White House on Thursday, Zinke has begun to roll out reprieves to some of the sites under review: As of late Wednesday, he had named six sites that will see no boundary adjustments or management changes.



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But conservation advocates have largely panned those early decisions, arguing that the review process has proved opaque even as Zinke's office asserts that the secretary has provided details about his schedule and meetings.

"The review process that the Trump administration has been undertaking has been fairly arbitrary, so it is honestly a guessing game as to which monuments are most at risk and how the review is being conducted and whose voices are being heard to drive Secretary Zinke's decision," the Wilderness Society's vice president for conservation, Melyssa Watson, said in a news conference yesterday.

The six sites removed from review are Craters of the Moon National Monument and Preserve in Idaho, Hanford Reach National Monument in Washington state, Canyons of the Ancients National Monument in Colorado, Upper Missouri River Breaks National Monument in Montana, Grand Canyon-Parashant National Monument in Arizona and Sand to Snow National Monument in California.

Notably, although Zinke has previously visited the Montana monument — he served as the Treasure State's at-large House lawmaker before his appointment to the Trump Cabinet — he did not make official visits to any of the sites he has removed from the review to date.

An Interior spokesman could not confirm whether Zinke plans to excuse any other monuments before the final report is issued. Zinke was on vacation this week to celebrate his 25th wedding anniversary; he appeared to be in the Mediterranean (Greenwire, Aug. 17). But Zinke acknowledged earlier this year that not every monument included in the report will receive the same level of scrutiny.

"I think we're focusing on just a few," Zinke told the House Natural Resources Committee, and he later told reporters: "We're not taking a deep dive in all of them" (E&E News PM, June 22).

In the meantime, while conservationists continue to urge the Trump administration to refrain from trying to make changes to any of the nation's monuments, some Western state GOP lawmakers have lobbied Zinke and Trump to rescind or sharply reduce the acreage of many of the remaining 21 monuments.

Zinke indicated in an interim report that he plans to call for significantly slashing the 1.35 million acres now included in Bears Ears National Monument in southeastern Utah (E&E News PM, June 12).



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Below is a summary of the 20 national monuments that remain under review:

#### **Basin and Range National Monument, Nev.**

The nearly 704,000-acre site created by President Obama in 2015 is among the handful Zinke visited personally in recent months.

In a letter to Zinke earlier this year, 15 members of the Congressional Western Caucus derided the monument as a "personal favor" to former Senate Democratic Leader Harry Reid of Nevada ahead of his retirement from Congress.

Among their complaints, the lawmakers noted that the site surrounds artist Michael Heizer's large installation "City," which sits on private land.

During his visit to Basin and Range last month, Zinke met with officials from the Los Angeles County Museum of Art, which agreed to a conservation easement last year to grant the Bureau of Land Management rights to 1,300 acres of private land around the installation within the monument.

The Western Caucus letter urged Zinke to reduce the site to just 2,500 acres, or less than 1 percent of its current size.

#### **Berryessa Snow Mountain National Monument, Calif.**

Both state and congressional lawmakers pushed for designation of this Northern California site before Obama agreed to set aside nearly 331,000 acres in 2015.

The area sits at the meeting point of two tectonic plates — giving it scientific importance — but it is considered a recreation hot spot for the populations of nearby San Francisco and Sacramento.

"Only a few places on the planet illustrate the scientific process as clearly as does the Berryessa region," University of California, Davis, geologist Eldridge Moores told California state lawmakers at a hearing in 2015, California public radio station KQED reported at the time.

Although state lawmakers approved a resolution urging the creation of the monument, Western congressional lawmakers called for its "total rescission."



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State Attorney General Xavier Becerra, a former Democratic House lawmaker, has threatened to file suit against the Trump administration if it tries to alter the Berryessa site or any other of the state's national monuments (Greenwire, June 9).

#### **Carrizo Plain National Monument, Calif.**

In his final three days in the White House, President Clinton named seven new national monuments, including this 204,000-acre site in San Luis Obispo County.

Both proponents and opponents of the monument's current boundaries have highlighted its potential for oil and gas production.

In their June letter, Western lawmakers noted that the monument counted 15 active oil wells in 2010 and that "giant fields with billions of barrels of reserves surround the monument."

Greenpeace has similarly highlighted the area's energy stores, noting that it is among the six national monuments with the largest potential energy development if its boundaries are reduced or eliminated (Greenwire, May 10).

Becerra also noted development in the area surrounding the monument, writing in June that the site "offers refuge to many animals and plants that are threatened, endangered or rare."

#### **Cascade-Siskiyou National Monument, Ore. and Calif.**

When Clinton set aside the then-53,000-acre site in 2000, it marked the first time a monument had been created with the sole intention of protecting biodiversity.

In his final weeks in office, Obama expanded the monument to its current 100,000 acres, asserting that the additional land would "increase habitat connectively, watershed protection and landscape-scale resilience for the area's unique biological values" (Greenwire, Jan. 12).

But Oregon's congressional delegation has split over the monument along party lines, with Democratic Sens. Jeff Merkley and Ron Wyden advocating for the site and GOP Rep. Greg Walden vowing to help roll back the "midnight expansion." Republicans have argued that the land should be open to timber harvesting.

Oregon Gov. Kate Brown (D) urged Zinke to retain the monument during his visit to the state last month but said he gave no indication about his plans (Greenwire, July 17).



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#### **Giant Sequoia National Monument, Calif.**

Opponents of the nearly 328,000-acre monument created by Clinton in early 2000 likewise say it should be open to timber harvesting, arguing that it is otherwise a safety hazard.

"This is a health and safety issue for us," Tulare County Deputy Administrator Eric Coyne told the San Francisco Chronicle in June. "We need the flexibility to do responsible tree mitigation" (Greenwire, June 28).

But the monument was designated to protect the 33 groves of the largest trees on earth, allowing for removal of the trees only when there is a "clear need" for maintenance or public safety.

Environmentalists successfully challenged early management plans for the site that included predictions for the volume of timber that would be regularly removed from the monument (Greenwire, Sept. 5, 2012).

#### **Gold Butte National Monument, Nev.**

The 297,000-acre Gold Butte National Monument is home to rock art and cultural sites — and hundreds of illegally grazing cattle that belong to jailed Nevada rancher Cliven Bundy, whose own 160-acre ranch is nearby.

While Zinke held a news conference in Bunkerville, Nev., during his visit to the area, he declined to discuss the animals that prompted a standoff between ranchers and federal officials in 2014. Bundy is expected to face trial in the case as soon as next month.

In its creation of the monument late last year, the Obama administration pointed to concern over vandalism in the area, much of which had previously been designated as areas of critical environmental concern for the desert tortoise and bighorn sheep.

While Nevada Republicans have called for a significant reduction to the monument's size, Democratic Rep. Dina Titus and Sen. Catherine Cortez Masto have urged Zinke to retain the site.

"Apparently, the 2.7 million public comments submitted in favor of keeping these monuments were not enough to help Mr. Zinke make up his mind," Cortez Masto said in a video released last month.

#### **Grand Staircase-Escalante National Monument, Utah**



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The southwestern Utah monument marked its 20th anniversary last year, but debate over the site remains as heated as it was when Clinton announced the 1.9-million-acre monument in 1996.

Republicans have long criticized the monument status for blocking access to massive coal deposits in the area's Kaiparowits Plateau and crippling potential economic growth for the region.

But environmentalists who have backed the monument — which Clinton had hoped would rally green voters to his bid for a second term as he preserved cliffs, slot canyons and sandstone arches — point out that the plateau has proved to be a paleontological jackpot since the monument's establishment, producing tens of thousands of fossils.

Zinke acknowledged during a May visit to the area that he would like to balance those interests.

"I have some in my truck," he said of the site's coal at the time. "It's there, and the creation of a monument was to protect and not to prevent" (Greenwire, May 11).

Utah's all-GOP congressional delegation has rallied against the monument, and Western GOP lawmakers urged Zinke to rescind the site's status in their June letter.

The Trump administration is expected to face legal challenges if it attempts to reduce or roll back any of the monuments under review, but Grand Staircase-Escalante is more complicated than most of the sites being assessed. That's because Congress itself has twice adjusted the monument's boundaries to exclude small towns and exchange state lands with Utah, as well as paid the state \$50 million in the process (Greenwire, May 2).

#### **Ironwood Forest National Monument, Ariz.**

In his proclamation designating this 129,000-acre site in mid-2000, Clinton said the Ironwood Forest presents a "quintessential view of the Sonoran Desert" and pointed to vegetation including its "ironwood, palo verde and saguaro."

The monument, located southwest of Tucson, is also home to species including hawks, owls, desert bighorn sheep and tortoises.



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While the Congressional Western Caucus has called for the site's elimination — arguing that it has blocked access to state trust lands and hindered grazing in the area — the Friends of Ironwood Forest has disputed its criticisms.

"Monument designation had no impact on management of State Trust Land which, by law, is open only to holders of valid use permits," Friends of Ironwood Forest board member William Thornton wrote in the Arizona Daily Star last month. He noted that ranchers can still graze their animals on state lands, while hunters and anglers can likewise access the land with licenses.

Unlike typical state parks, state trust lands are used by Western states to generate funds for education and public services and are not broadly available for public access.

"The monument has not resulted in one dime of lost revenue to K-12 education," Thornton added.

#### **Katahdin Woods and Waters National Monument, Maine**

Maine Gov. Paul LePage (R) is leading the charge to dismantle the state's sole national monument, arguing that the public has seen a reduction in access to the nearly 88,000-acre site, largely made up of former working timberland.

Obama created the monument last year after Burt's Bees co-founder Roxanne Quimby purchased the land, then donated it to the federal government via her family's nonprofit foundation, Elliotsville Plantation Inc.

In opposition to LePage is Elliotsville Plantation President Lucas St. Clair, who is also Quimby's son.

St. Clair has argued that the monument has increased access to the previously private lands. He has also touted the fact that the nonprofit has endowed a \$40 million fund for upkeep of the monument.

Zinke traveled to Maine in June and at the time indicated he was leaning away from reducing the size of the monument.

"Scaling back I don't think makes a lot of sense for here," he told the Portland Press Herald during his visit. Still, Zinke would not commit to maintaining the site as a monument, suggesting



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he could seek to have Congress change the site's status to a national park or other public land designation.

#### **Marianas Trench, Rose Atoll and Pacific Remote Islands marine national monuments, Pacific Ocean**

President George W. Bush created three marine monuments during his final days in office in early 2009, setting aside nearly 196,000 square miles of oceanic reserves intended to address overfishing and pollution and to help the ocean adapt to climate change.

At the time of their designation, the largest of the sites was the 95,000-square-mile Marianas Trench monument near the Northern Mariana Islands and Guam, an area that has been compared to an underwater Yellowstone and Grand Canyon for its unique geology of hydrothermal vents, mud volcanoes and pools of boiling sulfur.

The Rose Atoll near American Samoa covers more than 13,000 square miles, including coral reefs and a lagoon that serves as a home to sea turtles, birds and giant clams.

Bush also set aside nearly 87,000 square miles for the Pacific Remote Islands monument, which likewise claims a wealth of biodiversity that includes sea turtles, manta rays, sharks and whales as well as birds like the masked boobies and red-footed boobies among its islands, reefs and atolls.

Obama then enlarged the Pacific Remote Islands site to nearly six times its original size in late 2014, to its current 490,000 square miles (Greenwire, Sept. 25, 2014).

Commercial fishing, deep-sea mining and other extraction activities are banned within the sites.

The five marine monuments included in the Interior review are also part of a Commerce Department study examining whether 11 marine national monuments and national marine sanctuaries should be opened to oil and gas development (Greenwire, Aug. 16).

That study was prompted by Trump's executive order mandating a review of offshore energy policies.

#### **Mojave Trails National Monument, Calif.**



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This 1.6-million-acre site in Southern California is the largest of a trio of monuments Obama set aside in the Mojave Desert in early 2016.

Earlier this week, Zinke excused the 154,000-acre Sand to Snow National Monument from his review. Castle Mountains National Monument, at just 21,000 acres, was not large enough to qualify for automatic inclusion in the Interior review.

But the Mojave Desert site, with its lava flowers and sand dunes, is also involved in a debate over whether Cadiz Inc. will be able to build a proposed 43-mile-long pipeline to pump water from an aquifer under land it owns to 100,000 households in Southern California.

The Trump administration has placed it on a list of infrastructure priority projects, which raised questions for now-Interior Deputy Secretary David Bernhardt, who briefly led the Trump transition team. Before his confirmation to the Trump administration, Bernhardt was chairman of the natural resources department at the law firm Brownstein Hyatt Farber Schreck. The firm's lobbying arm worked to advance the Cadiz project (Greenwire, April 6).

"Diverse communities across the desert fought for over a decade to designate all three of our California desert national monuments," Mojave Desert Land Trust Executive Director Danielle Segura told the Highland Community News in California on Wednesday. "We encourage Secretary Zinke to recognize the public's will and the unique ecological and historical significance of places like Mojave Trails National Monument in his forthcoming recommendations."

#### **Northeast Canyons and Seamounts Marine National Monument, Atlantic Ocean**

Obama created the first Atlantic marine monument in 2016 when he designated nearly 5,000 square miles for preservation off the coast of Massachusetts.

But the decision — which barred oil and gas exploration in the area and restricted commercial fishing — drew a lawsuit from Northeastern fishermen, including the Massachusetts Lobstermen's Association, Atlantic Offshore Lobstermen's Association, Long Island Commercial Fishing Association, Rhode Island Fishermen's Alliance and Garden State Seafood Association.

The case is pending in the U.S. District Court for the District of Columbia, but a judge stayed action in the case in May to await the outcome of the Trump administration's reviews (E&E News PM, May 12).



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During his visit to the East Coast in June, Zinke stopped in Boston to meet with both fishermen's groups and scientists about the monument.

The Boston Globe reported that Zinke appeared sympathetic while meeting with about 20 representatives of New England's seafood industry.

"When your area of access continues to be reduced and reduced ... it just makes us noncompetitive," Zinke said at the time. "The president's priority is jobs, and we need to make it clear that we have a long-term approach to make sure that fishing fleets are healthy."

#### **Organ Mountains-Desert Peaks National Monument, N.M.**

New Mexico's congressional delegation has split over the future of the 496,000-acre boundary of the site — with its Democratic senators pushing Zinke to retain the site, while New Mexico GOP Rep. Steve Pearce has argued for it to be cut to just 60,000 acres.

Obama created the monument in 2014, designating four separate areas in close proximity to Las Cruces, N.M.: the Organ Mountains, Desert Peaks, Potrillo Mountains and Doña Ana Mountains.

Obama's proclamation notes that in addition to the geologic and biological resources of the region, the monument encompasses "hundreds of artifacts, rock art, dwellings, and other evidence of the Native peoples."

#### **Papahānaumokuākea Marine National Monument, Hawaii**

This site near Hawaii is the world's largest marine protected area at nearly 600,000 square miles.

Bush first designated the site — originally named the Northwestern Hawaiian Islands Marine National Monument — in 2006, then renamed it to Papahānaumokuākea in early 2007 in honor of Hawaiian gods Papahānaumoku and Wākea, whose mythology includes the creation of the Hawaiian archipelago and its people.

In 2016, Obama opted to quadruple the site's size to protect the 7,000 species that live in the monument's boundaries, as well as to extend prohibitions on commercial fishing and extractive activities (E&E Daily, Aug. 26, 2016).

The Trump administration could opt to try to roll back those prohibitions as well as the monument's size.



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#### **Rio Grande del Norte National Monument, N.M.**

Although Zinke visited the Land of Enchantment last month, he didn't include a trip to northern New Mexico to see this 243,000-acre monument Obama established in 2013.

The monument itself stretches from the Colorado border south to Pilar, N.M., following the Rio Grande through a deep gorge. In his proclamation designating the monument, Obama described the area as "an extraordinary landscape of extreme beauty and daunting harshness."

The proclamation barred mineral and geothermal leasing in the area.

While Pearce has called for the site to be reduced by an unspecified amount, both the state's Democratic senators have lobbied for its retention.

But in an exchange at a Senate Interior, Environment and Related Agencies Appropriations Subcommittee hearing in June, Zinke would not indicate his position on either of the state's monuments.

"In the case of New Mexico, I do not want to rip a Band-Aid off a monument that's settled. ... If it's settled and people are happy with it, I find no reason to recommend any changes," he said at the time (Greenwire, June 21).

#### **San Gabriel Mountains National Monument, Calif.**

The more-than-356,000-acre site is located between Los Angeles and San Bernardino, making it a popular area of respite for more than 15 million people who live within a 90-minute drive of the monument.

Although congressional Democrats in the region had pushed for a much larger 600,000-acre recreation area, Obama's final proclamation in 2014 offered a smaller site, which is managed by the Forest Service.

The Congressional Western Caucus has raised complaints that the site includes nonwilderness Forest Service land, as well as a small mining operation, and has called for unspecified cuts to the site.



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But environmentalists have urged for the monument to remain untouched, noting that it is among the most likely monuments to be opened to oil and gas production if its protections are eliminated.

#### **Sonoran Desert National Monument, Ariz.**

The southern Arizona site is another of the seven monuments Clinton created in his final days in office, covering more than 486,000 acres near the Mexico border.

The site has long drawn the ire of conservatives, including a failed legal challenge by the Mountain States Legal Foundation. It argued that Clinton had exceeded his authority to create the Sonoran Desert monument as well as others like the Cascade-Siskiyou and Ironwood Forest (Greenwire, Oct. 21, 2002).

It has also been the focus of lawsuits over grazing rights in the area, after Clinton's proclamation disallowed the practice in portions of the monument, as well as a long-running fight over recreational target shooting (E&E News PM, Dec. 16, 2016).

In addition, the Congressional Western Caucus has complained that the monument creates a hindrance to Homeland Security and Customs and Border Protection agents, who must comply with environmental regulations on federal lands operated by the Interior and Agriculture departments.

#### **Vermilion Cliffs National Monument, Ariz.**

The nearly 280,000-acre site is located in northern Arizona near the Utah border, a remote area that BLM describes as a "geologic treasure."

"Despite its arid climate and rugged isolation, the monument contains a wide variety of biological objects and has a long and rich human history," Clinton wrote in his 2000 proclamation. "Full of natural splendor and a sense of solitude, this area remains remote and unspoiled, qualities that are essential to the protection of the scientific and historic objects it contains."

Among the most popular locations in Vermilion Cliffs is the "Wave," a sandstone formation located in the Coyote Buttes North. But visitation to the site is limited to 20 people per day, who must apply for permits in a lottery system.



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#### **10. SAGE GROUSE: Interior panel echoed industry wish list in revising plans**

*E & E News, Aug. 18 | Scott Streater*

An Interior Department review panel recommended amending federal greater sage grouse conservation plans to address almost every concern highlighted by an oil and gas industry trade group, according to documents being circulated this week by a government watchdog group.

The industry's concerns with the Obama-era plans were laid out in a July 19 [letter](#) from the Western Energy Alliance to the members of the sage grouse review team established by Interior Secretary Ryan Zinke in June. Zinke directed the team to evaluate the grouse conservation plans and, among other things, identify where they interfere with energy development and other uses of public lands and suggest changes.

The review team's report submitted to Zinke proposed significant changes, which would adopt most of the trade group's recommendations ([Greenwire](#), Aug. 7).

Among the changes suggested by WEA are revisions to buffers around grouse breeding grounds, called leks, and revisions to the boundaries of formally designated priority sage grouse habitat.

Zinke has issued a [memorandum](#) directing his deputy secretary and the Bureau of Land Management to "immediately begin implementing" the recommendations.

The Western Values Project said the letter shows that the oil and gas industry had a large influence on the efforts of the review team, which conducted its work mostly in closed-door meetings.

"I counted 15 bullet points they requested in their letter, and I think they got 13," said Jayson O'Neill, the group's deputy director. "If we were playing baseball, I'd say that's an All-Star batting average."

The Interior Department did not respond to a request for comment on this story.

But Kathleen Sgamma, WEA's executive director and the author of the four-page letter to the review team, said there was nothing in the letter that the alliance had not already discussed publicly.



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"The letter was simply a summary provided after the sage grouse review team was publicly announced," said Sgamma, who would have liked to see more aggressive steps in the final report to use land-use plan amendments to change some of the broader components of the federal plans finalized in September 2015.

"As with other stakeholders, some suggestions were reflected in the review team's report, and some, like amending the plans, did not," she said.

The Obama-era federal sage grouse plans, developed over several years, focus on habitat conservation; establishing primary habitat management areas; and amending 98 BLM and Forest Service land-use documents to incorporate conservation measures in grouse habitat, including no-surface-occupancy requirements and caps on development density.

WEA's letter targeted many of these measures, saying the "oil and gas specific restrictions" in the plans "result in increased costs due to limitations on activities, and reduce new oil and gas development."

The "primary restrictions of concern" in the WEA letter that are addressed in the review team's recommendations include:

- "Overly expansive and burdensome" buffers around leks, which in some cases restrict development activity within 3.1 miles of an identified breeding area.
- "Inconsistent" and burdensome density and disturbance caps, which limit activity in priority sage grouse habitat to no more than 3 percent in many states, and 5 percent in Wyoming.
- No-surface-occupancy requirements and controlled surface uses in sage grouse habitat.
- Implementation of "unlawful and overly broad compensatory mitigation" requirements.
- The "unsupported and overly broad designations of priority habitat management areas" in the plans.

"The above provisions should be removed and the land use plans revised so that a proper balance is struck between recognizing and utilizing state conservation plans for the species and continued economic development and growth to ensure American energy independence and dominance," the WEA letter says.

To be clear, some of the same suggestions for change were almost certainly submitted to the review team by individual states or other groups.



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But it's obvious the industry's concerns carried weight with the review team in its final report to Zinke.

WEA also requested the revocation of an instructional memorandum (IM) directing BLM to prioritize energy development outside of priority grouse habitat.

The review team report recommends rescinding the IM and developing "BLM State-specific IMs that include all habitat types are open for leasing and other State-specific concerns."

The review team report also calls for addressing lek buffers that are "incompatible" with buffers in individual state sage grouse management plans by evaluating the plans "to ensure adequate flexibility to address project-specific information is available." The report also suggests pursuing land-use plan amendments "adjusting lek buffers based on new science and high quality information."

The review team discussed working with the states to "explore the potential to develop a density and disturbance process that recognizes State-specific issues and needed flexibilities."

And it suggested "investigating opportunities to provide additional waivers, modifications, and exceptions" to density and disturbance caps "through policy or potential plan amendments, while adequately addressing the threats in the area, avoiding habitat loss or fragmentation, and ensuring effective and durable conservation, while providing for economic development."

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